

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Kenneth C. Johnson et al.

Application No.: 09/938,415

Mailed: August 23, 2001

For: OPTIMIZED APERTURE SHAPE FOR
OPTICAL CD/PROFILE METROLOGY

Confirmation No.: 9943

Group Art Unit: 2851

Examiner: Andrew T. Sever

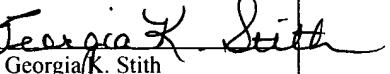
**RESPONSE TO OFFICE ACTION
MAILED JULY 7, 2004**353 Sacramento Street, Suite 2200
San Francisco, CA 94111
(415) 772-4900**CERTIFICATE OF MAILING**I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 30, 2004.

STALLMAN & POLLOCK LLP

Dated: 08/30/2004

By:

Georgia K. Stith

M/S AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed July 7, 2004, please amend the above-identified application as follows:

The Pending Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.